IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 6236 OF 2003

Prakash Gangaram Achrekar.. ... Petitioner.

Versus

The State of Maharashtra & Ors. ... Respondents.

Mr. V. V. Savaji with Mr. P. B. Shah and Mr. A. B. Avhadkar for the Petitioner.

Mrs. M. P. Thakur, AGP for Respondent Nos.1 to 3.

CORAM : V. G. PALSHIKAR &
D. B. BHOSALE, JJ.

DATED : OCTOBER 20, 2005.

P.C. :

By this petition the petitioner claimed direction to release correct pension to him. Notice to show cause, why this petition be not admitted, was issued and reply is filed. In para 10 of the reply, it is stated as under:

> "I say that the Accountant General has also sanctioned the revised pension as well as the other revised pension benefits such as gratuity, commutation, etc. I say that the revised pension has been sanctioned on the last pay of Rs.16,200/- as demanded by the

petitioner. I further say that his service from the date of appointment i.e. from 9th August, 1969 has been considered for the pension purpose."

2. In view of this, the claim of the petitioner for pension is sanctioned and granted. Petition, therefore, need not be kept pending. If, any amounts as sanctioned are not paid, the remedy is a civil suit for recovery of that sum. Reserving all that rights to file a civil suit to the petitioner, this petition is dismissed.

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